

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA MOTION GRANTED
NORTHERN DIVISION

UNITED STATES OF AMERICA)

v.)

RENTHLIS EARL CRENSHAW)

THIS 26th DAY OF May, 2006.

By: /s/ L. Scott Coogler
UNITED STATES DISTRICT JUDGE

CR. NO. 2:05-CR-0120-LSC

**UNOPPOSED MOTION FOR LEAVE TO DISMISS INDICTMENT AND
PLEA AGREEMENT**

COMES NOW the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and files the above-styled motion as follows:

1. On May 25, 2005, a federal grand jury indicted the defendant ("Crenshaw") on one count of being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). (Doc. #1). In that indictment, the firearm with which Crenshaw was charged with possessing was described as "a New England (Waymond Williams), model Pardner, 12 gauge shotgun, serial number NF364340." Id.

2. On February 3, 2006, Crenshaw pled guilty to the above-referenced charge, pursuant to a plea agreement. The plea agreement contained in its factual basis the admission by Crenshaw that he possessed the firearm described in the Indictment, namely, "a New England (Waymond Williams), model Pardner, 12 gauge shotgun, serial number NF364340." (Doc. #34). Consistent with that factual basis, the defendant admitted in his plea colloquy that the firearm he possessed was a 12 gauge, model Pardner, New England shotgun, as was described in the indictment.

3. Subsequent to the acceptance of Crenshaw's guilty plea, the case agent in this matter attempted to obtain the firearm from the local law enforcement agency that originally obtained and stored the firearm after Crenshaw's arrest. The case agent's purpose in obtaining the firearm was, pursuant to the plea agreement, to take possession of the firearm for forfeiture in accordance with